

**United States Department of Labor  
Employees' Compensation Appeals Board**

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**L.P., Appellant**

**and**

**DEPARTMENT OF HOMELAND SECURITY,  
TRANSPORTATION SECURITY  
ADMINISTRATION, Baton Rouge, LA,  
Employer**

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**Docket No. 15-355  
Issued: April 14, 2015**

*Appearances:*  
*Appellant, pro se*  
*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER REMANDING CASE**

Before:

CHRISTOPHER J. GODFREY, Chief Judge  
PATRICIA H. FITZGERALD, Deputy Chief Judge  
ALEC J. KOROMILAS, Alternate Judge

On November 25, 2014 appellant filed a timely appeal of a June 24, 2014 Office of Workers' Compensation Programs (OWCP) decision. The Board docketed the appeal as No. 15-355. On June 24, 2014 OWCP found that appellant did not sustain an injury in the performance of duty. Pursuant to the Federal Employees' Compensation Act<sup>1</sup> (FECA) and 20 C.F.R. §§ 501.2(c) and 501.3, the Board has jurisdiction over the merits of this case.

Appellant, a 40-year-old transportation security officer, filed a Form CA-1 claim for benefits on January 12, 2012, alleging that she experienced pain in her right thumb and right shoulder after picking up a bag for screening. She submitted a hospital report dated January 12, 2014 which indicated that she was treated on that date with a right thumb and right shoulder injury which occurred when she picked up a piece of luggage. Appellant also submitted reports dated January 31, February 10, March 24 and May 6, 2014 from Dr. Alan C. Schroeder, Board-certified in orthopedic surgery. In these reports Dr. Schroeder noted appellant's account of how her injury occurred on January 12, 2014, stated findings on examination, and reported that she had right shoulder and right thumb complaints/symptoms stemming from the January 12, 2014 work incident. He also indicated that he took x-rays of her right shoulder and right thumb and diagnosed right shoulder adhesive capsulitis.

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<sup>1</sup> 5 U.S.C. § 8101 *et seq.*

By decision dated June 24, 2014, OWCP denied appellant's claim. While the decision mentioned that appellant had submitted the hospital report and Dr. Schroeder's reports, it did not discuss or analyze the contents of these reports. In addition, OWCP did not indicate what anatomical region she allegedly injured or the manner in which she was allegedly injured.

Section 20 C.F.R. § 10.126 requires OWCP to issue a decision containing findings of fact and a statement of reasons.<sup>2</sup> OWCP erred in its June 24, 2014 decision by failing to analyze Dr. Schroeder's reports and provide sufficient reasons why his reports did not establish that appellant sustained right shoulder and/or right thumb conditions in the performance of duty. Further, as noted above, OWCP did not indicate the nature of appellant's alleged injury or the manner in which she was allegedly injured. As it did not make the required findings or provide a statement of reasons in its June 24, 2014 decision, its decision was issued in error.

Accordingly, the case will be remanded to OWCP to enable it to properly consider the medical evidence submitted prior to the issuance of the June 24, 2014 decision, thoroughly evaluate the merits of appellant's claim, make findings of fact and provide reasons for its decision, pursuant to the standards set forth in section 8128(a) and section 20 C.F.R. § 10.126. After such further development as OWCP deems necessary, it should issue an appropriate decision to protect appellant's appeal rights.

**IT IS HEREBY ORDERED THAT** the June 24, 2014 decision of the Office of Workers' Compensation Programs is set aside; the case record is remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: April 14, 2015  
Washington, DC

Christopher J. Godfrey, Chief Judge  
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge  
Employees' Compensation Appeals Board

Alec J. Koromilas, Alternate Judge  
Employees' Compensation Appeals Board

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<sup>2</sup> 20 C.F.R. § 10.126.